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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

RAJYA SABHA

The following Bills were introduced in the Rajya Sabha on the 8th March, 2013:—

I

BILL NO. LV OF 2012

A Bill to provide for a comprehensive policy for the overall development of the youths in the country and for matters connected therewith and incidental thereto.

BE it enacted by Parliament in the Sixty-third Year of the Republic of India as follows:—

1. (1) This Act may be called the Youth (Development and Welfare) Act, 2012.

(2) It extends to the whole of India.

(3) It shall come into force on such date, as the Central Government may, by notification in the Official Gazette, appoint.

Short title,
extent and
commencement.

2. In this Act, unless the context otherwise requires,—

Definitions.

(a) “appropriate Government” means in the case of a State, the Government of that State and in other cases, the Central Government;

(b) “youth” means all persons aged between eighteen to thirty-five years; and

(c) “youth organisation” means an organisation of youth that provides for universal membership to youths without any discrimination on the basis of race, caste, religion, language, creed or sex and its constitution provides for a democratic functioning in the concerned States and Union Territories, as the case may be; and

(d) “prescribed” means prescribed by rules made under this Act.

Formulation
of compre-
hensive
policies for
youths.

3. (1) The appropriate Government shall formulate comprehensive policy for the development and welfare of youths, which shall inter-alia provide for:—

- (a) compulsory and free education including technical education;
- (b) books, stationery, uniform etc., free of cost;
- (c) free hostel facilities;
- (d) scholarship to meritorious students;
- (e) free transport facilities;
- (f) pocket allowance, as may be prescribed;
- (g) recreation facilities free of cost;
- (h) free access to all libraries;
- (i) training in sports to every eligible youth and facilities to participate in sports activities;
- (j) representation of youth organisations in sports associations; and
- (k) such other facilities, as may be prescribed, for the overall welfare of these youths, who have represented the country in sports.

Free
nutritious
meals,
medical and
health care
facilities.

4. The appropriate Government shall provide,—

- (i) free nutritious meals to all students in schools, colleges, universities, hostels and technical institutions; and
- (ii) free medical and health care facilities to youths.

Appointment
of Expert
Committee.

5. (1) The appropriate Government shall appoint an expert committee consisting of eminent educationists, psychologists and such other members as may be prescribed in every district.

(2) Expert committee shall recommend such education or vocational training to be imparted to the youths of the districts after qualifying the tenth class examination, as may be prescribed.

Appropriate
Government
to provide
employment
or
unemployment
allowance to
youths.

6. The appropriate Government shall provide,—

- (a) employment to the youth after completion of their education or training; or
- (b) unemployment allowance at such rate, as may be prescribed, till they are provided with gainful employment.

Power to make
rules.

7. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

STATEMENT OF OBJECTS AND REASONS

Even after more than six decades of Independence, the country has yet to evolve a clear-cut policy for the overall welfare of youths of the country. The education should be the right of every youth and not a privilege of a few and employment should be guaranteed to them. The youth should be directly linked to production process. The disparities between the rural and urban youths should be eliminated gradually. The youth today is facing serious health problems, absolute inadequacy of sports and cultural facilities, etc. A considerable chunk of youth population is still reeling under poverty. A proper policy is required to be put in place for comprehensive and overall development of the youths and proper utilization of their energies. A comprehensive youth policy for all-round development is, therefore, absolutely necessary.

Hence this Bill.

DR. T. SUBBARAMI REDDY

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for compulsory and free education and also supply of materials like books, stationery and uniform free of cost and pocket allowance to all the youths. It also provides for free hostel and transport facilities and scholarships to youths. Clause 4 provides for nutritious diet free of cost to all the students in schools, colleges, universities and hostels and medical and health care facilities to all the youths. Clause 5 provides for appointment of an expert committee to recommend the type of education that is to be imparted to the youths besides imparting training in modern apprenticeship trades and vocations. Clause 6 provides for employment or unemployment allowance to the youths.

The Bill, therefore, if enacted, would involve expenditure from the Consolidated Fund of India in respect of the Union Territories. The State Governments will incur the expenditure from their respective consolidated fund. An annual recurring expenditure of about rupees five hundred crore is likely to be incurred from the Consolidated Fund of India. A non-recurring expenditure of about rupees seven hundred crore is also likely to be incurred.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 7 of the Bill empowers the Central Government to make rules for carrying out the provisions of the Bill. As the rules will relate to matters of details only, the delegation of legislation power is of a normal character.

II

BILL NO. LII OF 2012

A Bill to provide for special financial assistance to the State of Andhra Pradesh for the purpose of promoting the welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes of the society and for the development, exploitation and proper utilization of its resources.

BE it enacted by Parliament in the Sixty-third Year of the Republic of India as follows:—

1. (1) This Act may be called the Special Financial Assistance to the State of Andhra Pradesh Act, 2012.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. There shall be paid such sums of money out of the Consolidated Fund of India, every year, as Parliament may, by due appropriation provide, as special financial assistance to the State of Andhra Pradesh to meet the costs of such schemes of development, as may be undertaken by the State with the approval of the Government of India for the purpose of promoting the welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes of the society and for the development, proper utilization and exploitation of the resources in the State.

3. The provisions of this Act shall be in addition to and not in derogation of any other law made by the Parliament or for the time being in force.

Special financial assistance to the State of Andhra Pradesh.

Act not in derogation of other laws.

STATEMENT OF OBJECTS AND REASONS

The State of Andhra Pradesh is socially and economically lagging behind compared to several other States. The problem of poverty and unemployment is rampant in the State particularly among the socially and economically weaker sections of the society which need to be addressed urgently and in a time-bound manner. Measures for proper utilization of resources, welfare of weaker sections in the region and initializing new developmental schemes are also required to be undertaken in an expeditious and time-bound manner.

The State of Andhra Pradesh has also been facing the problem of naxalite violence for a number of years. In view of its economic backwardness, the naxalites have found sympathetic elements within the population. The fact remains that economic backwardness is the root cause of the naxalite problem.

It is therefore, necessary that the Central Government should provide special financial assistance to the State of Andhra Pradesh for its all-round development including the welfare of weaker sections and for the development and exploitation of its resources. It may also be kept in mind that the Scheduled Castes, Scheduled Tribes and Other Backward Class people need special attention as they are far behind the other segments of the society. Such a step of providing financial assistance to this State would go a long way in building this nation more and more strong.

Hence this Bill.

DR. T. SUBBARAMI REDDY

FINANCIAL MEMORANDUM

Clause 2 of the Bill provides that there shall be paid such sums of money out of the Consolidated Fund of India, every year, as Parliament may by due appropriation provide, as special financial assistance to the State of Andhra Pradesh to meet the costs of such schemes of development, as may be undertaken by the State with the approval of the Government of India.

The Bill, therefore, if enacted, is likely to involve expenditure from the Consolidated Fund of India for providing special financial assistance to the State of Andhra Pradesh. As the sums of money which will be given to the State of Andhra Pradesh as special financial assistance by appropriation by law made by Parliament will be known only after the welfare schemes to be implemented by the State Government with the approval of Government of India are identified, it is not possible to give the estimates of recurring expenditure, which would be involved out of the Consolidated Fund of India at this stage.

A non-recurring expenditure is also likely to be involved from the Consolidated Fund of India.

III**BILL No. LVIII OF 2012**

A Bill to provide for financial protection and security to girl child of parents living below poverty line and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Sixty-third Year of the Republic of India as follows:—

Short title,
extent and
commencement.

1. (1) This Act may be called the Financial Assistance to Girl Child Belonging to Parents Living Below Poverty Line Act, 2012.

(2) It extends to the whole of India.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.

2. In this Act, unless the context otherwise requires,—

(a) “appropriate Government” means in the case of a State, the Government of that State and in other cases, the Central Government;

(b) “girl child” means any female child upto the age of twenty years belonging to the parents living below poverty line; and

(c) “prescribed” means prescribed by rules made under this Act.

3. (1) The Central Government shall set up a fund to be known as the Girl Child Development Fund.

Establishment of Girl Child Development Fund.

(2) The Central Government and the State Government shall contribute to the fund in such ratio as may be prescribed.

(3) The appropriate Government shall deposit a sum of rupees fifty thousand in the bank account of every girl child of below poverty line family at the time of her birth within its territorial jurisdiction.

(4) The deposit shall mature when the girl child attains the age of twenty years or such period as may be fixed by the appropriate Government and such proceeds may be used by the girl child for education purpose, etc.

4. The appropriate Government shall issue directions to the nationalised and private sector banks or insurance companies, within six months of the coming into force of this Act, to formulate suitable schemes which provide benefits of fixed or term deposit or insurance benefits to the girl child.

Schemes to be formulated by banks and insurance companies.

5. The provisions of this Act and rules made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force but save as aforesaid the provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force giving benefits to the girl child.

Overriding effect of the Act.

6. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

Power to make rules.

(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

STATEMENT OF OBJECTS AND REASONS

Even after the completion of sixty-five years of Independence, no clear-cut policy for the overall development of girl child belonging to below poverty line (BPL) family has been formulated in our country so far. Today, a girl child of a poor family has to face problems at every stage. This includes, problems relating to poverty, upbringing, malnutrition, education, employment, vocational training, health care and problems faced at the time of her marriage. There is no institutional mechanism to harness the potential and channelize the energy of girl child of BPL family for the betterment of the country. There is no proper planning for comprehensive development of girl child. The plight of girl child belonging to Scheduled Castes, Scheduled Tribes and other Backward Classes is even worse. Apart from all the problems as mentioned above, they also have to face social ostracisation. Birth of a girl child is still considered to be a curse. There is still considerable amount of social stigma attached to the birth of female child.

There is a need to instill a sense of belongingness among the female children by providing them all opportunities for their development so that they can contribute to the progress of the country to their full potential. The facilities should be provided to them as a matter of right and not as a privilege. The steps taken in this direction will not only uplift the conditions of girl child but will also create a better society leading to a civilized and stronger nation. The Government should take responsibility of depositing Rupees fifty thousand or so in financial institutions like banks and insurance companies in the name of new born girl child of BPL family, which will become a handsome amount after twenty years or so which can be used for the purpose of education, etc., by the girl child.

In this way, financial protection and security to girl child of BPL family must be ensured. This Bill seeks to achieve the above objectives.

DR. T. SUBBARAMI REDDY

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for creation of a Girl Child Development Fund. The Bill, therefore, if enacted, would involve expenditure from the Consolidated Fund of India. It is estimated that an annual recurring expenditure of about rupees one thousand crore will be involved.

A non-recurring expenditure of about rupees one thousand five hundred crore is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 6 of the Bill empowers the Central Government to make rules for carrying out the provisions of the Bill. As the rules will relate to matters of details only, the delegation of legislative power is of a normal character.

IV**BILL No.VIII OF 2013**

A Bill to provide for a ban on obscene advertisements in any form in the country and for matters connected therewith or incidental thereto.

Be it enacted by Parliament in the Sixty-fourth Year of the Republic of India as follows:—

1. (1) This Act may be called the Ban on Obscene Advertisements Act, 2013.

Short title,
extent and
commencement.

(2) It extends to the whole of India.

(3) It shall come into force with immediate effect.

2. In this Act, unless the context otherwise requires,—

Definitions.

(a) "advertisement" means any pamphlet, writing, drawing, painting, photograph, bill, circular, notice, label, poster, hoarding, banner or other document and also includes any communication by means of recorded telephone messages or transmitted on radio, television, the Internet, or similar communication media, including film strips, motion pictures, videos, slides by means of light, and gas published, disseminated, circulated, or placed directly to the public;

(b) "Agency" means the Banning of Obscene Advertisement Agency established under section 4 of this Act.

(c) "complaint" means an objection filed by any Indian citizen or institution to the agency;

Banning of obscene advertisements.

Establishment of Banning of Obscene advertisement Agency.

Functions of the Agency.

Penalty.

Central Government to provide funds.

Act to have overriding effect.

Power to make rules.

(d) "obscene advertisement" means depiction of women body in nude or semi-nude postures, and is considered objectionable, double-entendre and may reasonably be construed immoral and against decency; and

(e) "prescribed" means prescribed by rules made under this Act.

3. Notwithstanding anything contained in any other law for the time being in force, all obscene advertisements are hereby banned in the country even if no objection certificate has been obtained from any authority.

4. (1) For the purposes of this Act, the Central Government shall establish an Agency to be known as Banning of Obscene Advertisement Agency.

(2) Subject to the provisions of this Act, the Agency shall be constituted in such manner as may be prescribed and the terms and conditions of service of persons employed in the agency shall be such as may be prescribed.

(3) The headquarters of this Agency shall be at such place as may be prescribed.

5. (1) The Agency shall perform the following functions:—

(a) Hearing public grievances and registering complaints with regard to obscene advertisements;

(b) Conducting inquiry on the basis of a complaint lodged;

(c) Imposing a ban on the advertisement on the basis of the findings of the inquiry; and

(d) Derecognising the advertisement agency/agencies making obscene advertisements.

6. Whoever contravenes the provisions of section 3 shall be punishable with imprisonment for a term that shall not be less than two years but may extend to five years and with fine which shall not be less than rupees one lakh but may extend to rupees three lakh.

7. The Central Government shall provide, from time to time, after due appropriation made by Parliament by law in this behalf, requisite funds for carrying out the purposes of this Act.

8. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

9. The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

STATEMENT OF OBJECTS AND REASONS

Due to rapidly growing consumerism several types of perversities are taking root in the Indian society. As a result, the cultural values of the Indian society are eroding and the safety of dignity of women is also under threat. In metropolitan cities and even in the small towns, the number of crimes arising out of the degradation of our culture is increasing rapidly. Obscene advertisements broadcasted or brought out by the different media have contributed nothing less in this regard. There is a rat race in depicting obscenity in the country in the name of advertisements. The Government has so far done a mere formality to check or ban obscene advertisements.

Keeping in view the gravity of the problem, it is imperative that a new legislation be enacted to impose a complete ban on the obscene advertisements and for this purpose a new agency be put in place so as to stop broadcasting or publication of obscene advertisements in the country.

Hence this Bill.

PRABHAT JHA

FINANCIAL MEMORANDUM

Clause 4 of the Bill provides for the establishment of Banning of Obscene Advertisement Agency and appointment of officers and staff of the agency. Clause 7 provides that Central Government shall provide funds to the Agency after due appropriation. The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. It is likely to involve a recurring expenditure of about rupees two hundred crore per annum from the Consolidated Fund of India. A non-recurring expenditure of rupees four hundred crore is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 9 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. As the rules will relate to matters of details only, the delegation of legislative power is of a normal character.

V

BILL NO. VI OF 2013

A Bill to provide for prevention of begging and rehabilitation of beggars in the country and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Sixty-fourth Year of the Republic of India as follows:—

Short title,
extent and
commencement.

1. (1) This Act may be called the Prevention and Rehabilitation of Beggars Act, 2013.

(2) It extends to the whole of India.

(3) It shall come into force with immediate effect.

Definitions.

2. In this Act, unless the context otherwise requires,—

(a) "appropriate Government" means in the case of a State, the Government of that State and in all other cases, the Central Government;

(b) "beggar" means any person who indulges in begging at public places or go from door to door to solicit alms;

(c) "fund" means Rehabilitation Fund established under section 4; and

(d) "prescribed" means prescribed by rules made under this Act.

3. (1) Notwithstanding anything contained in any law for the time being in force, the Central Government shall, as soon as may be formulate a national action plan for the prevention of begging and rehabilitation of beggars.

National action plan for prevention of begging and rehabilitation of beggars.

(2) The activities of the national action plan shall be,—

(a) to collect exact and authentic data related to begging in the country;

(b) to set up Task Forces in every district of the country in consultation with the appropriate Government to identify the persons indulged in begging at various places and take steps for their rehabilitation;

(c) to constitute an advisory team in association with the stakeholders and the persons having knowledge and expertise in the field of social welfare and prepare a rehabilitation action plan on the basis of recommendations made by the advisory team;

(d) to formulate various welfare schemes for the rehabilitation of beggars including construction of rehabilitation homes; and

(e) to make all efforts for the prevention of begging.

4. (1) The Central Government shall establish a Rehabilitation Fund for the rehabilitation of beggars with an initial corpus of rupees one thousand crores.

Establishment of Rehabilitation Fund.

(2) A rehabilitation home shall function in every district with the aid of the Rehabilitation Fund.

(3) The fund shall be used for providing boarding and lodging, education and employment, etc. to the beggars who have been brought to the rehabilitation home.

(4) The Central Government shall administer the fund in such manner as may be prescribed.

5. The provisions of this Act and rules made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

Overriding effect of the Act.

6. The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force.

Act not to be in derogation of any other law.
Power to make rules.

7. The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

STATEMENT OF OBJECTS AND REASONS

Today, our country is facing many problems, begging being a major among them. After so many years of independence, a large number of people in our country are still indulging in begging and the beggars are dying of starvation everyday. It is a matter of national shame. These beggars can be seen at railway stations, bus stands, traffic signals and other public places beseeching foreign tourists in metro cities and tourist places which is again a matter of great shame. It is high time that the Government should take concrete steps to discourage begging and make proper arrangements for rehabilitation of beggars.

There is a need to formulate a national action plan for the prevention and rehabilitation of beggars. There is also a need to set up task forces in all the districts of the country, which would identify persons indulged in begging at various places and take adequate steps for their rehabilitation so that the country could get rid of the national shame of begging.

Hence this Bill.

PRABHAT JHA

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for setting up of task forces in all the districts for the identification and rehabilitation of beggars. Clause 4 of the Bill provides for establishment of Rehabilitation Fund. The Bill, therefore, if enacted, would involve expenditure from the Consolidated Fund of India. It is likely to involve a recurring expenditure of rupees five thousand crore per annum.

A non-recurring expenditure of rupees one thousand crore is also likely to be involved from the Consolidated Fund of India.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 7 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. As the rules will relate to matters of details only, the delegation of legislation power is of a normal character.

VI

BILL NO. XIV OF 2013

A Bill to amend the Micro, Small and Medium Enterprises Development Act, 2006.

BE it enacted by Parliament in the Sixty-fourth Year of the Republic of India as follows:—

1. (1) This Act may be called the Micro, Small and Medium Enterprises Development (Amendment) Act, 2013. Short title and commencement.

(2) It shall come into force on such date, as the Central Government may, by notification in the Official Gazette, appoint.

27 of 2006. 2. In the Micro, Small and Medium Enterprises Development Act, 2006, after section 10, the following sections shall be inserted, namely:— Insertion of new sections 10A and 10B.

“10A. (1) Every scheduled commercial bank shall lend to the micro, small and medium enterprises at the rate of one per cent plus the rate of fixed deposit of such banks. Lending rate and limit for lending of collateral free loans.

(2) Every scheduled commercial bank shall lend collateral free loans upto the limit of rupees two crore for micro, small and medium enterprises.

Incentives to increase the inflow of equity capital.

10B. The Central Government shall, from time to time, notify suitable incentives to increase the inflow of equity capital in micro, small and medium enterprises.”

STATEMENT OF OBJECTS AND REASONS

The Micro, Small and Medium Enterprises Development Act, 2006 aims to provide for facilitating the promotion and development and enhancing the competitiveness of micro, small and medium enterprises in the country. The said act, as well as the guidelines issued by the Reserve Bank of India in its circular dated 1st July, 2011 and the recommendations of various committees and task groups have brought about considerable positive changes in various areas of development of competitiveness of micro, small and medium enterprises (MSMEs).

However, the MSMEs, that contribute to eight per cent of the country's Gross Domestic Product (GDP) forty-five per cent of the manufactured output, forty per cent of our exports and that employs an estimated sixty million people, continue to face serious bottlenecks in its development. Lack of access to adequate and timely credit at a reasonable cost is the most critical problems faced by this sector. Hence, there is an urgent need to make it mandatory by law for scheduled commercial banks to provide affordable lending rates to MSMEs.

The Bill hence, aims to ensure lowest lending rates to MSMEs, fixed at one per cent plus the rate of interest for fixed deposits of the scheduled commercial banks in the country. This would ensure more credit flow to the MSME sector, without hurting commercial banks, as they will continue to have freedom to fix lending rates to other sectors or units. The Bill also aims to make it mandatory for scheduled commercial banks to offer MSMEs, collateral free loans, up to rupees 2 crore. These two key changes in the principal act would revive MSMEs through increased credit flow.

Hence this Bill.

VIVEK GUPTA

FINANCIAL MEMORANDUM

Section 2 of the Bill provides that all scheduled commercial banks in the country shall lend money to MSMEs, at a rate of interest fixed at one per cent plus the rate of interests for fixed deposits of the banks. The section makes it the responsibility of banks to ensure increased credit flow to the MSME sector. Therefore, if enacted, the act will not incur any expenditure from the Consolidated Fund of India.

SHUMSHER K. SHERIFF,
Secretary-General.